

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

KEVIN J. MERRITT,)	
a/k/a EDWARD A. URBANSKI, JR.,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-06-1427-W
)	
RYAN STARK,)	
<i>et al.</i> ,)	
)	
Defendants.)	

**REPORT AND RECOMMENDATION
ON JOINDER OF MOTION**

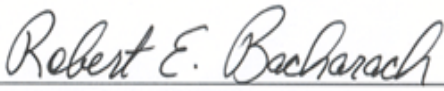
W.R. Holcomb and Correctional Healthcare Management of Oklahoma, Inc. moved for summary judgment, and the undersigned recommended that the Court grant the motion. Doc. 291. The two defendants separately joined the summary judgment motion filed by Oklahoma County. Doc. 286. If the Court adopts the prior report (Doc. 291), joinder of the county's motion (Doc. 286) would be rendered moot. Accordingly, the undersigned further recommends denial of the summary judgment motion based on joinder of the county's arguments. Doc. 286.

The parties can object to the present report and recommendation. Any such objection must be filed with the Clerk of this Court by October 14, 2008. *See* W.D. Okla. Local Civil Rule 72.1. The failure to timely object would foreclose appellate review of the suggested ruling. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *cf. Marshall v.*

Chater, 75 F.3d 1421, 1426 (10th Cir. 1996) (“Issues raised for the first time in objections to the magistrate judge’s recommendation are deemed waived.”).

The referral is terminated.

Entered this 24th day of September, 2008.



Robert E. Bacharach
United States Magistrate Judge